

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 10, 2003 PLANNING COMMISSION MEETING

P.A.S.: County Special Permit #189A

PROPOSAL: Gregg Nicklas, President, Christian Heritage Children's Home has requested an amendment to County Special Permit 189 to construct and operate a Health Care Facility, to increase the office building to 9,800 square feet and up to 32 full time equivalent employees.

LOCATION: Generally located northeast of S 148th and Old Cheney Road

LAND AREA: 45 acres, more or less

CONCLUSION: This request complies with the requirements of the Zoning Regulations and the intent of the Comprehensive Plan.

<u>RECOMMENDATION:</u> Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 23 I.T. in the SW 1/4 of Section 10, Township 9 North, Range 8 East of the 6th P.M., Lancaster County.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Health Care Facility

SURROUNDING LAND USE AND ZONING:

Agriculture on all sides. One residence to the north, east and west. Zoned AG Agriculture on all sides.

COMPREHENSIVE PLAN SPECIFICATIONS: In Conformance. This shows as Agricultural on the County Land Use Plan. The zoning provides a special permit for the institutional use in the agriculture district.

HISTORY: County Special Permit #189, Christian Heritage Children's Home was approved as a Health Care Facility by the County Board on September 11, 2001.

TOPOGRAPHY: Rolling, draining to the northwest.

TRAFFIC ANALYSIS: S 148th is a paved county road that connects Hwy #2 to Waverly and Hwy's #6 and #34. Old Cheney is a gravel county road. Old Cheney is scheduled for eventual paving in the County 1 - 6 Road Program.

ANALYSIS:

1. This request is for an amendment to the existing special permit to expand the office building from 7,000 square feet and 16 employees to 9,800 square feet and 32 FTE employees. No other provisions of the approved special permit are proposed to be changed.
2. Water is proposed to be from an existing well.
3. Sewage treatment is proposed to be by septic system unless soils conditions dictate a lagoon.

STAFF RECOMMENDATION:

Conditional Approval

CONDITIONS:

GENERAL CONDITIONS:

1. This approval permits a philanthropic institution for up to 32 mild to moderate need (excluding high needs) children and adolescents in up to four residential buildings, including staff, and one 9,800 square feet office building for up to 32 FTE employees. The permittee and its successors and assigns shall not serve any child or adolescent at the philanthropic institution who has been adjudicated as a sexual offender. Each residential building and the office building shall be residential in design and have:
 - 1.1 A two and one-half inch in twelve inch pitch roof or steeper;
 - 1.2 A nonreflective exterior siding material which is or simulates wood, stucco, brick or stone;
 - 1.3 A nonreflective roof material which is or simulates asphalt or wood shingles, tile or rock; and
 - 1.4 No air conditioners on the roof.
2. Prior to the issuance of building permits:

- 2.1 All buildings shall meet Building and Life Safety Codes.
 - 2.2 All applicable Health codes shall be complied with.
 - 2.3 All applicable State and Local licensing and childcare requirements shall be meet.
 - 2.4 The construction plans shall comply with the approved plans.
3. Landscaping material shall be kept outside of the Old Cheney 50' line.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
- 4.1 All development and construction shall have been completed in compliance with the approved plans.
 - 4.2 Before occupying this philanthropic institution/health care facility, the City-County Health Department shall have approved the water and waste water systems for this use and a Hazardous Material evacuation plan.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Mike DeKalb, AICP
Planner
November 25, 2003

APPLICANT: Gregg Nicklas, President
Christian Heritage Children's Home
2930 Ridge Road, Suite 110
Lincoln, NE 68516
(402) 432-3270

OWNER: Christian Heritage Children's Home, a Nebraska Non-Profit
Corporation

CONTACT: Gregg Nicklas



County Special Permit #189A

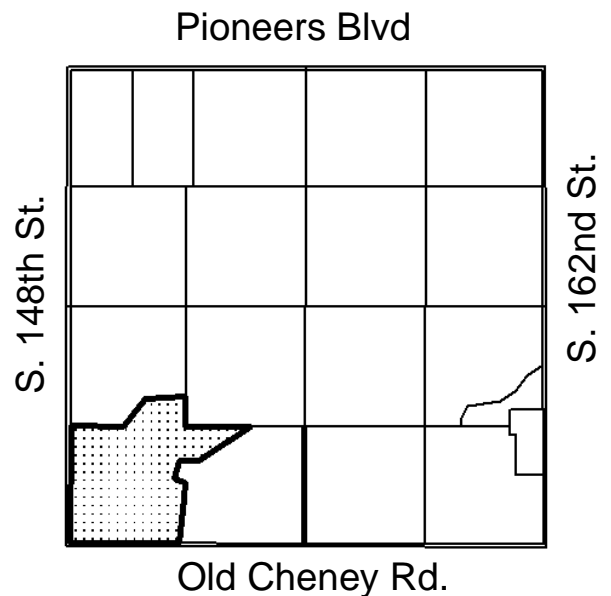
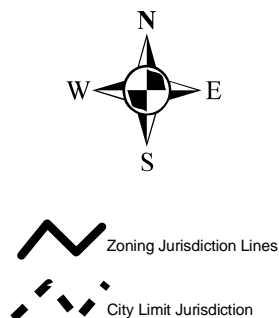
S. 148th & Old Cheney Rd.

2002 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 10 T9N R8E



Christian Heritage Children's Home
Three Phase Site Plan
S. 148th and Old Cheney Road

Phase II
Office for Philanthropic
Institution
Parking for twenty-four
vehicles

Existing
Morton Barn

Phase III
Two Residential Units
housing eight youth each
Parking for four vehicles
between units

Phase I
Two Residential Units
housing eight youth each
Parking for four vehicles
between units and recrea-
tional area behind units

S. 148th Street

Old Cheney Road

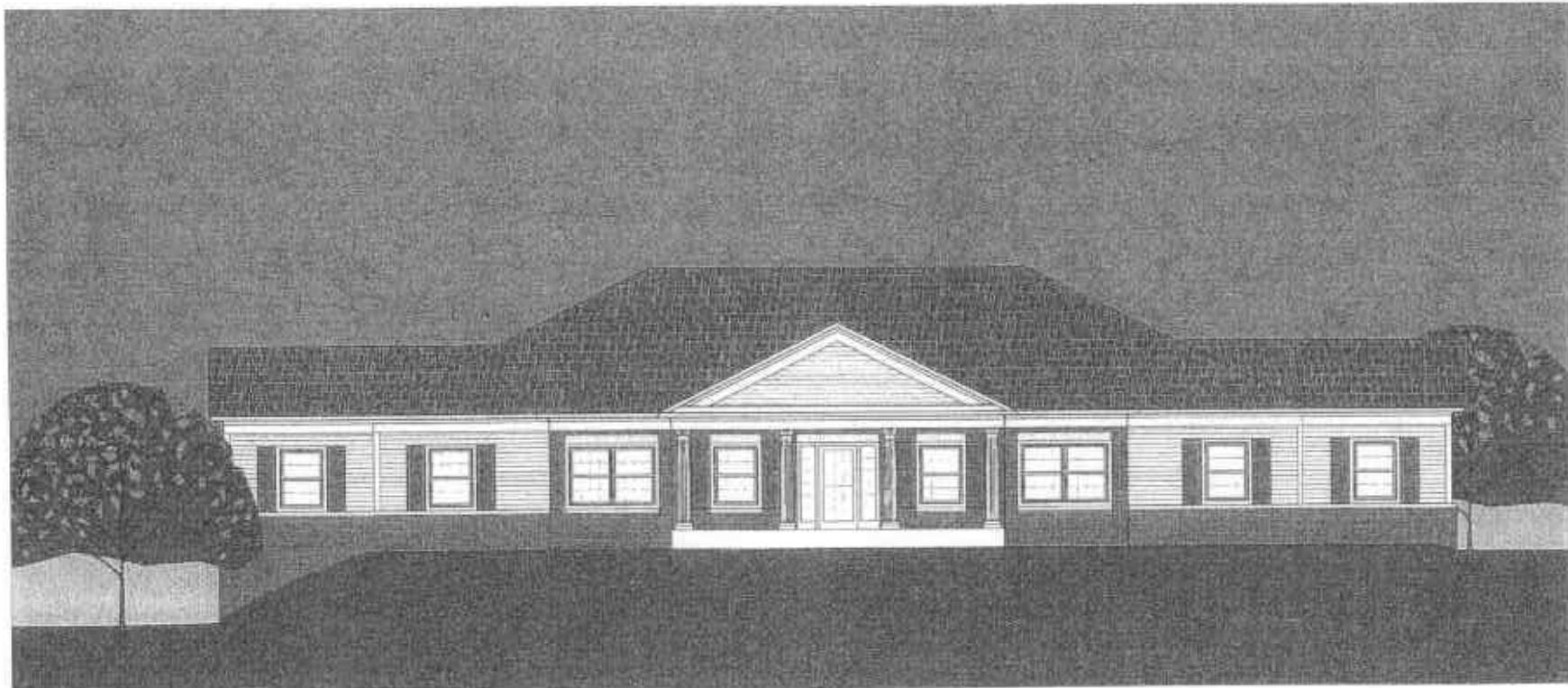
SCALE = 1" = 300'



County Special Permit #189
S. 148th & Old Cheney Rd.

11-13-03

Proposed Office Building



Front Elevation--Illustrative

Proposed Office Building



Back Elevation--Illustrative

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

November 13, 2003

HAND DELIVERY

Mike Dekalb
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Amendment to Special Permit No. 189; Christian Heritage Children's Home;
Request to expand Office Building

Dear Mike:

Our law firm represents Christian Heritage Children's Home. Pursuant to our meeting several weeks ago with Gregg Nicklas, Christian Heritage Children's Home hereby requests an amendment to Special Permit No. 189 in order to expand the office building portion of the philanthropic institution (health care facility) as per Lancaster County Zoning Regulations, Article 13.001(3).

The approved Special Permit No. 189 permits, among other things, one 7,000 square feet office building for up to 16 employees. Our requested amendment seeks to permit one office building up to 9,800 square feet in size for up to 32 full time equivalent employees.

The proposed site for the office building is in the northeast corner of the property. The site plan adheres to all set back requirements. See attached site plan for the location of the expanded office building envelope and parking lot envelope. A minimum of forty-eight parking spaces will be provided for the office building. For your information, we are also enclosing illustrative building elevation drawings. Moser Well Company has dug one well on the property and has indicated there is an abundant supply of water. We are also enclosing a Certificate of Ownership from Nebraska Title Company.

The approved 7,000 square foot office building for sixteen employees will be too small and we haven't yet begun construction on any portion of the office building. Basically, the requested change will permit a 15 foot expansion to each end of the office building. We are not seeking space to house additional girls and boys.

We invited the neighbors to a neighborhood information meeting on Tuesday, November 11. One neighbor elected to attend and she indicated that to date she has not experienced any problems with the residential youth.

On behalf of Christian Heritage Children's Home, we want to thank you for your consideration of the amendment to Special Permit 189. If you have any questions regarding the above or need any additional information, please give me a call.

Very truly yours,



Kent Seacrest
For the Firm

Enclosure

cc with encl: Gregg Nicklas
Lancaster County Commissioners
Kit Boesch
Kerry Egan

LANCASTER COUNTY ZONING APPLICATION

Honorable County Board of Commissioners

Date November 13, 2003

Lancaster County, Nebraska

Application No. _____

Under the provisions of Resolution 3404 of the Lancaster County Zoning Regulations, the undersigned hereby applies for a:

☐ County Change of zone from _____ to _____

☒ County Special Permit 189 (Amendment)

☐ County Change of zone, (text) Article _____

☐ County Administrative Special Permit (Wireless)

☐ Administrative Amendment to SP _____

☐ SP Pre-application Conference Date _____

☐ Miscellaneous

☐ Waiver of Design Standards

☐ Pre-Existing County Special Permit # _____

Is the purpose statement for this application attached? Include Article number in Statement.

☒ Yes

☐ No

Note: Purpose Statement must be attached in order for application to be considered complete.

Have the neighbors been informed of your request? ☒ Yes

☐ No

Property Owner Christian Heritage Children's Homes

Telephone (402) 423-3270

Address 2930 Ridge Line Road, Suite 110; Lincoln, NE 68516

Email _____

Applicant (Permittee) Name Gregg Nicklas, President

Telephone (402) 423-3270

Address 2930 Ridge Line Road, Suite 110; Lincoln, NE 68516

Email greggn@chchildrenshomes.com

Contact Name Kent Seacrest

Telephone (402) 435-6000

Address 1111 Lincoln Mall, Suite 350, Lincoln, NE 68508

Email kent@sk-law.com

Project Legal Description: Lot(s) 23 I.T. in the SW 1/4 of Block(s) _____

_____ Addition, Section 10 T 9 N, R 8 E

☐ See attached Legal Description (hard copy and digital if available)

Project Address/Location A 45-acre tract at the northeast corner of 148th and Old Cheney Road

Applicant's (Permittee's) Signature _____

Property Owner's Signature _____

* NOTE: If applicant is not owner of the premises, the owner's signature (or written permission of the owner authorizing the applicant to sign on behalf of the owner) must be affixed to this application. The applicant and owner's signatures (or owner's written permission) certifies that permission is granted by the owner to all authorized city/county personnel to enter the premises for the purpose of review of this application.

**NOTE: Change of Zone applications do not require the property owner's signature.

Planning Department Use Only

Permit Name _____

Fee Paid \$ _____

Location _____

Planner _____

Date _____



Lancaster


County

Engineering

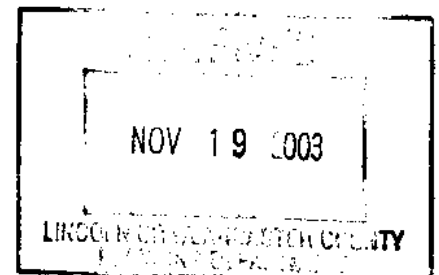
Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: November 18, 2003
TO: Mike Dekalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: CHRISTIAN HERITAGE CHILDREN'S HOME
SPECIAL COUNTY PERMIT #189A

Upon review, this office has no objections to this submittal.



LVW/cm